

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Steven R. WILEY et al

Conf. No.: 0000

CONTINUATION

Appln. No.: of 09/796,581

Group Art Unit: 1646

Filed: September 2, 2003

Examiner: Mertz, P.

For: CYTOKINE THAT INDUCES APOPTOSIS

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form, all but one of which are all the references of record in Parent Application No. 09/796,581. Applicants are not submitting duplicate copies of the references that are of record in the parent application, but request that they be listed on the face of any patent granted on the above application (see 37 C.F.R. §1.98(d)).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed

INFORMATION DISCLOSURE STATEMENT
CONT of USSN 09/796,581

document as a competent reference against the claims of the present application.

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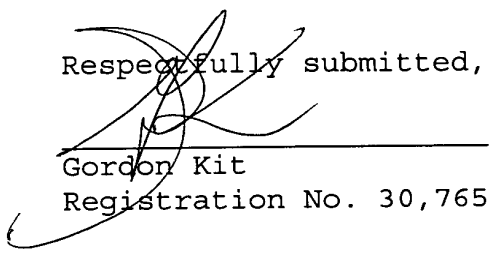
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WASHINGTON OFFICE

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CUSTOMER NUMBER

Respectfully submitted,



Gordon Kit

Registration No. 30,765

Date: September 2, 2003

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| Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | | |
| | | | | Application Number | CONT of USSN 09/796,581 | |
| | | | | Confirmation Number | 0000 | |
| | | | | Filing Date | September 2, 2003 | |
| | | | | First Named Inventor | Steven R. WILEY | |
| | | | | Art Unit | 1646 | |
| Examiner Name | | | | Mertz, P. | | |
| Attorney Docket Number | | | | A8652 | | |
| Sheet | 1 | of | 1 | | | |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
| Examiner Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
| | | Number | Kind Code ² (if known) | | |
| | | 6,444,640 B1 | | 09-03-02 | Nagane et al. |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|-----------------------|---------------------------|---------------------|--------------------------------------|--------------------------------|---|--------------------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation ⁶ |
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| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
| | | Mikayama et al, <i>Proc. Natl. Sci. USA</i> , 90:10056-10060 (1993) | |
| | | Voet et al, <i>Biochemistry</i> , John Wiley & Sons, Inc., pages 126-128 and 228-234 (1990) | |
| | | Beers et al, <i>The Merck Manual of Diagnostics and Therapy</i> , 17 th edition, pages 986-995 (1999) | |
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| Examiner Signature | | Date Considered | |
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